Centre for Innovative Justice

Annual Review 2016

Shaping the world Life-changing experiences Passion with purpose



Deliberate, direct and real



RMIT's approach to

entrepreneurship and innovation focuses deliberately and directly on real world jobs and situations. We believe innovation is driven by problem-solvers and entrepreneurs across the broadest spectrum from science and technology to the arts and social policy.

It's an applied process, one that comes from teams of people combining their knowledge, testing new concepts in real-life situations, prototyping new methods and products and improving them through many iterations.

This approach to innovation is alive and well across the university and the Centre for Innovative Justice is a good example of how it comes together. The focus is singular, but the approach is multi-disciplinary.

For example, in 2016 I had the pleasure of launching a new model of service delivery in the legal assistance sector – our Multi-Disciplinary Practice (MDP), a result of the Centre's partnership with the Mental Health Legal Centre. The MDP brings lawyers and social workers together to better meet the complex needs of clients. It also allows RMIT's law and social work students to apply their learning, contribute to and experience a workplace of the future through their clinical placements.

The Centre's research program focuses in areas including family violence, acquired brain injury in the justice system and restorative justice. This work continues to have an impact, stimulating debate, shaping policy development and implementation across many sectors in Victoria.

The Fastrack Innovation Program's Access to Justice (A2J) stream tackles real world issues under real world conditions by bringing together knowledge, skills, creativity and energy. We include our brightest students from diverse disciplines, including, aviation engineering and computing to psychology and communications and offer them experience with industry mentors and coaches. This brings together deep knowledge and experience and modern approaches to produce impactful results.

I'm proud of what great innovation can achieve and the role RMIT plays to help solve today's problems and also shape our community into the future.

Martin Bean

Vice-Chancellor and President

Delivering the 4P's



The Centre for Innovative Justice continues to go from strength to strength and 2016 was another tremendous year.

Highlights included the launch of the Multi-Disciplinary Practice in partnership with the Mental Health Legal Centre; the securing of significant new funding to

undertake a variety of research projects including family violence, restorative practice and gambling addiction, the hosting of successful forums on issues ranging from the costs and impacts of the prison system to the role of artificial intelligence and design thinking in improving access to justice. The Centre also facilitated a variety of opportunities for our students through the clinical legal education program and through placements with a range of organisations including the Court of Appeal, the Magistrates Court, the Fair Work Commission and Maurice Blackburn Lawyers and projects with the Victorian Aboriginal Legal Service and the Australian Human Rights Commission.

The achievements of the Centre are part of a series of highlights across the Graduate School of Business and Law in 2016 that have further strengthened our research and teaching. As someone with a specialist background in marketing, I can say that the work of the Centre is contributing significantly to the GSBL's desire to be seen as offering progressive, practice-oriented and people-focused programs that provide opportunities for personal growth.

These elements were evident in the GSBL's involvement for the first time in the Fastrack Innovation Program along with the Centre for Innovative Justice. This program has business and access to justice streams; attracts the best and brightest students from across the university; is linked strongly to the business and the legal assistance sectors and from the presentations that I witnessed at the end of the program in October delivers innovative solutions and transformative experiences. It ticks all the 4P boxes: progressive; practice-oriented, people-focussed and personal growth. It is an excellent program and I am keen to see more and more of our students involved.

Mark Farrell

Head, RMIT Graduate School of Business and Law

Evidence-centred



Throughout 2016 we were reminded of the challenges we face as we try and shape a justice system that among other things reduces crime, makes the community safer, acts as a positive intervention in people's lives and resolves and prevents disputes.

In February, the Victorian

Ombudsman, Deborah Glass, told the CIJ forum 'Prison s: Unlocking our Thinking' that the building of new prisons was not making us safer as a community and that on current trends in both prisoner numbers and costs 'it will not be long before we have to make hard decisions between prison beds or hospital beds, better schools or more security'. Towards the end of the year there were a series of disturbing stories about the state of youth detention across Australia.

Disappointingly, much of the public debate about 'law and order', where we think that by locking more and more people up we will be safer, seems to accord with the definition of insanity attributed to Einstein — that is, 'doing the same thing over and over again and expecting different results'. This approach could not be further from the sound evidence-based policy and practices that can really make a difference.

And evidence based policy is important, as shown by the landmark report of the Victorian Government's Royal Commission into Family Violence which not only highlighted the scourge that is family violence but delivered 227 recommendations to systematically tackle the issue.

The events of 2016 only served to remind me of the importance of the work of the Centre. In collaborating with partners to assemble the evidence for sound policy decision-making in areas such family violence, the over-representation of people with acquired brain injury in the justice system and in gambling addiction as well as the use of restorative justice in culpable driving matters and transport and workplace accident schemes, the Centre is making a real and positive difference. In partnerships with our colleagues across the university, in the Mental Health Legal Centre and across the justice system, we are providing RMIT students with opportunities to directly experience various aspects of the legal system including

innovative justice practices and at the same time providing supervised multi-disciplinary services to clients. We are also using design and technology to tackle access to justice issues and our students are involved in a project with the Federal Human Rights Commission to seriously speculate about the positive difference a national Human Rights Charter might make. The Centre also helped spark an important debate about the potential for design thinking and artificial intelligence to deliver greater access to justice.

In summary, the Centre for Innovative Justice is all about being passionate with a purpose, providing life-changing experiences for our students and helping to shape the justice world through innovation.

I know 2017 will be just as busy, as we continue our work to argue for and implement a better way to deliver safer communities and fewer unresolved disputes.

Rob Hulls

Director, RMIT Centre for Innovative Justice

Shaping the world with life-changing experiences

The following is a snapshot of the year that was at the Centre for Innovative Justice.

Research

Our research in 2016 involved a range of projects focussed on family violence, including in response to the recommendations of the Victoria's Royal Commission into Family Violence. They were:

- Perpetrator Journey Mapping commissioned by the Department of Premier and Cabinet;
- Positive Interventions for Perpetrators of AVITH (Adolescent Violence in the Home) funded by Australian National Research Organisation for Women's Safety (ANROWS);
- Meta-Evaluation of Perpetrator Interventions, also funded by ANROWS, in collaboration with Curtain University, Griffith University, University of NSW and University of Western Sydney;
- Restorative Justice and family violence consultation in partnership with the Department of Justice and Regulation;
- Multidisciplinary Response Models in partnership with Southern Melbourne Integrated Family Violence Partnership;
- Family Violence Intervention Orders user-testing of standard conditions commissioned by the Magistrates' Court of Victoria.

The final report of the Enabling Justice Project, a three-year project supported by the Office of the Public Advocate and jointly delivered with Jesuit Social Services is due in the first half of 2017. The project is exploring ways to address the significant over-representation of people with an Acquired Brain Injury (ABI) in the justice system.

The Culpable Driving and Restorative Justice project, which was funded by the Victorian Legal Services Board to develop and pilot an RJ model to better meet the needs of victims of crime and improve the way the criminal justice system responds to driving incidents that result in serious injury or death is moving into the pilot implementation phase.

We were commissioned by the Victorian Responsible Gambling Foundation to examine problem gambling and the criminal justice system.

The Fair Work Commission asked CIJ to evaluate their Pro Bono Program, and

The Victorian Association for the Care and Resettlement of Offenders commissioned a targeted piece of research into community-based support for Serious Violence Offenders.

Launch of the Multidisciplinary Practice

The Multidisciplinary Practice (MDP) was launched by the Vice Chancellor, Martin Bean, on 14 June. The MDP creates life-changing experiences for RMIT students from a variety of disciplines including law (Juris Doctor), social work and paralegal studies. Students work collaboratively and innovatively to provide wraparound services to clients including women from the Dame Phyllis Frost Prison, through the Centre's Inside Access Program.

Clinical Legal Education & Legal Research project

20 students completed the Clinical Legal Education Program delivered in conjunction with the Graduate School of Business and Law and the Mental Health Legal Centre (MHLC). Five law students (Juris Doctor) undertook a research project commissioned by the Australian Human Rights Commission, and two completed a research project for the Fair Work Commission as part of a Legal Research project.

Innovative Justice on Tour

10 students took our second study tour which included visits to the Drug Court at Dandenong, the Koori Court at Broadmeadows, the Neighbourhood Justice Centre in Collingwood and the Assessment and Referral Court at the Melbourne Magistrates' Court.

Student Placements

The Centre provided a total of 630 placement days for students from across RMIT, including nine students from the Bachelor of Social Work (in partnership with the Mental Health Legal Centre), the Masters of Social Work and Masters of Public Policy. The CIJ's Social Worker, Katherine Ogilvie, also provided two-hour tutorials over 12 weeks for Bachelor of Social Work students.

Taster Placements

A total of 27 students undertook Taster Placements in a range of jurisdictions from the Court of Appeal, Assessment and Referral Court, Fair Work Commission and Maurice Blackburn Lawyers.





Volunteering & other student engagement

Four Journalism students undertook a multimedia project for our Enabling Justice project on Acquired Brain Injury (ABI). The Mental Health Legal Centre continued to provide volunteering opportunities including through the Inside Access program and the telephone night service. Many students continue to be strongly engaged with the MHLC.

Access to Justice, Design Thinking and Artificial Intelligence

More than 450 people attended and almost 200 people across the world live-streamed our forum on Access to Justice, Design Thinking and Artificial Intelligence held in July in partnership with Victoria Legal Aid and National Directors of Legal Aid Commissions. And, some 22 students from across various disciplines tackled worker's rights, debt and disconnections, service delivery across community legal centres and accessing legal assistance (Victoria Legal Aid) in the Access2Justice Through Technology Challenge stream of the Fastrack Innovation Program.

CIJ TV

The 'CIJ TV' video interview series continued to be a big hit, both with RMIT JD students and on Twitter. Interview subjects in 2016 included: comedian turned lawyer Corinne Grant, President of the Australian Human Rights Commission, Gillian Triggs, Family Violence Royal Commissioner, Marcia Neave, and Shen Narayanasamy from GetUp!







Advocacy

A number of media articles by the Director appeared in a range of media outlets including The Age, The Herald Sun, The Australian and The Conversation. The CIJ was also involved in eight radio interviews with a range of topics and programs including ABC Melbourne, The Law Report, Radio National (Counterpoint), New Zealand Radio National, CAAMA Indigenous Radio and Triple J.

Social Media

The CIJ Twitter account currently has over 1000 followers and tweets regularly highlighting CIJ projects, events, media articles as well as commentary on current legal issues of interest. This year we launched the CIJ blog which is attracting wide readership and followers.

As we speak: Twenty-nine speaking engagements (and lectures) were undertaken this year by the Director and other CIJ members around Australia. (21 external, eight internal to RMIT).



Shaping the world

The year 2016 will be remembered as a watershed year in family violence policy and reform – a year when a Royal Commission handed down 227 much needed recommendations to reshape a broken system, and a Government committed to their full implementation.

The CIJ's submissions to the Commission – in the form of its 2015 report, *Opportunities for early intervention: bringing perpetrators of family violence into view*, as well as a submission written in partnership with the Mental Health Legal Centre's Inside Access program highlighting the way in which family violence is present in the background of so many female offenders – were reflected in detail in the Commission's final report and recommendations. In particular, the Commission echoed the CIJ's call for more proactive and earlier interventions by police; for plain language Intervention Orders; for a more considered response to use of family violence by adolescents; for more restorative options to be available to victims of family violence; and many more.

As a result of its growing reputation in the area of family violence research and policy; as well as to support the implementation of some of these recommendations, the CIJ is conducting a range of further projects around family violence. These include:

Video: Opportunities for Early Intervention report https://www.youtube.com/watch?v=sSJhZ8s YfzU&t=6s&index=11&list=PL8uYOKwoXWA-Y4F3mhAa79WmSMyO1MCUk

Multidisciplinary Response Models – Southern Melbourne Integrated Family Violence Partnership

This report involved detailed consultations with personnel across agencies in the region which consistently has the highest reported rates of family violence in Victoria. The CIJ identified certain challenges and service gaps and made recommendations for a multidisciplinary model which might address some of these gaps while dovetailing into the implementation of the Royal Commission recommendations.

Family Violence Intervention Orders – User testing of standard conditions

In anticipation of the Royal Commission's recommendation the Magistrates' Court of Victoria sought the CIJ's assistance with the revision of the standard conditions of its family violence IVOs. After extensive consultations with internal and external stakeholders, the CIJ will now proceed to 'user testing' the conditions with focus groups of perpetrators (linked with Men's Behaviour Change Programs) and victims (linked in with specialist services). This work will then inform the finalisation of the new standard conditions.

Perpetrator Journey Mapping

In late 2016 the CIJ was commissioned by the Department of Premier and Cabinet (DPC) to start to map the journey of family violence perpetrators as the service system becomes aware of their behaviour. This work has informed the early work of the Expert Committee on Perpetrator Interventions, as well as the Victorian Premier's 10 Year Action Plan, released in November. The CIJ conducted research and consultations around a range of service areas and identified numerous opportunities for intervention and scrutiny. In 2017 will embark upon a more-detailed second phase of the project.

PIPA Project

Following on from its identification of this crucial issue, echoed by the Royal Commission, the CIJ was successful in being granted funding by Australian National Research Organisation for Women's Safety (ANROWS) to conduct the PIPA Project (Positive Interventions for Perpetrators of AVITH – Adolescent Violence in the Home). This project is a two year, multijurisdictional project examining prevalence, demographics, and responses across Victoria, Tasmania and Western Australia. The project will also follow the implementation of the Royal Commission recommendations regarding AVITH through a Steering Committee of high level representatives from the justice and youth services sector.

Meta evaluation of Perpetrator Interventions

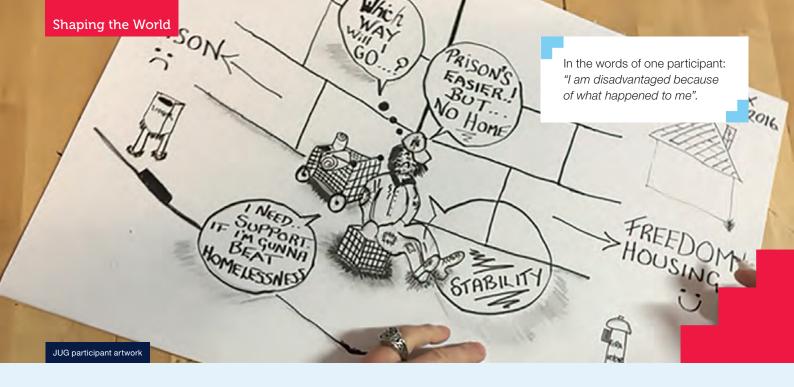
The CIJ is also a partner in this national study of perpetrator intervention and engagement right across the service system. The project, which is also funded by ANROWS, is a collaboration with Curtin University, Griffith University, University of NSW and University of Western Sydney. The role of the CIJ is to provide two case studies – one tracking a local region's response to perpetrators overall, and another tracking a separate region's approach to outreach and engagement with perpetrators after they first come into contact with police.

Restorative Justice and family violence

The CIJ's Deputy Director Mark Madden was asked to conduct a consultation program in partnership with the Department of Justice and Regulation on a framework and a pilot program for the delivery of restorative justice options for victims of family violence. The development of a framework and pilot was a recommendation of the Royal Commission into Family Violence.

A2JTTC and family violence

Two projects tackling the issue of family violence were completed by RMIT students as part of the inaugural Access to Justice Through Technology Challenge (A2JTTC), a stream of the Fastrack Innovation Program in late 2014. Following the release of the recommendations of the Royal Commission into Family Violence, the Centre submitted the projects to the Department of Premier and Cabinet because the Centre believed the students' work could assist the implementation of recommendation 10 calling for the expansion or creation of a website to provide a variety of information to victims, families, friends and community networks about family violence, including where and how to provide support.



Enabling Justice

The Enabling Justice ABI Project is a three year project supported by the Office of the Public Advocate and jointly delivered by RMIT University's Centre for Innovative Justice and Jesuit Social Services. With elements of participatory action research and self-advocacy, the project supports people living with ABI to use their experiences of the criminal justice system to demonstrate the need for significant change. Central to the project has been the formation of a Justice User Group, comprising people with lived experience of ABI and their carers.

There were some exciting advances in the project in 2016, particularly in relation to the activities of the Justice User Group which has grown in numbers and diversity. It has been inspiring to watch the Justice User Group participants steadily build their confidence through participation in group discussions and advocacy opportunities.

Consistent with other research, the lives of the Justice User Group participants have been characterised by childhood abuse, out of home care, family violence, trauma, poor education levels, substance addiction and poverty. Participants told us that these experiences contributed to their disability as well as their interaction with the criminal justice system, but that the system acknowledged neither, and they became further disadvantaged, institutionalised and entrenched as a result. In the words of one participant *"I am disadvantaged because of what happened to me"*.

Together, the experiences of justice users have demonstrated the ways in which the justice system fails to acknowledge the needs of the people it is intended to 'serve'. Most reported that their disability was unidentified or unacknowledged and they struggled through a system that was not designed with them in mind. In addition, a lack of support in the community meant that people felt just as isolated when living in the community as they did when they were in prison. Given the staggering rates at which people with an ABI are imprisoned, the Enabling Justice project is not concerned with changes that will amount to tinkering at the edges. An issue this pervasive requires cultural and structural change right across the system. A consultation paper was released in June outlining a series of options for reform which had been considered and endorsed by the Justice User Group. Following its release, a targeted round of consultation was held with a range of stakeholders, including Corrections Victoria, Victoria Police, Department of Health and Human Services, Office of the Public Advocate, Court Services Victoria, Magistrates Court of Victoria, the legal assistance sector (including Victoria Legal Aid and the Victorian Aboriginal Legal Service) and the disability services sector. The final report is expected to be released in the first half of 2017.

In August the Minister for Housing, The Hon. Martin Foley MP, launched the Justice User Group's first self-advocacy campaign 'Three Hots and a Cot'. The campaign features artwork produced by the Justice User Group participants and seeks to highlight the need for housing and support for people leaving prison, especially those with ABI. Many of the participants have experienced homelessness after leaving prison and they identify lack of access to housing as a significant barrier to staying out of prison. The campaign 'Three Hots and a Cot' refers to the bed and three hot meals that, for many, is easier to access by going to prison than remaining in the community.



Prisons: Unlocking our Thinking

In February the Centre hosted the Victorian Ombudsman, Deborah Glass and a special guest panel comprising the Commissioner, Corrections Victoria, Jan Shuard, Magistrate Rosemary Falla, Jesuit Social Services CEO, Julie Edwards and ex prisoner, Tracy Raeburn, to discuss the findings of her report Investigation into the Rehabilitation and Reintegration of Prisoners in Victoria. Over 300 people attended the event, including law and social work students, barristers, magistrates and other members of the legal, social and community sector.

Podcast link can be found here:

https://soundcloud.com/rmit-university/2663136updatedaudio-only-24th-february?in=rmit-university/sets/ talking-innovative-justice

"Prison is the most expensive response we have to criminal behaviour and we can see from the recidivism rates, it's not working very well."

- Deborah Glass, Victorian Ombudsman.





L-R: Julie Edwards – CEO, JSS, Deborah Glass – Victorian Ombudsman, Tracy Raeburn – ex prisoner, Rob Hulls – Director, CIJ, Jan Shuard – Police Commissioner, Rosemary Falla – Magistrate.

Problem gambling and the criminal justice system

In mid-2016 the Victorian Responsible Gambling Foundation commissioned the CIJ to examine the intersection of problem gambling and the criminal justice system. Currently problemgambling is poorly understood and frequently goes unrecognised in the criminal justice system, either as a contributing or cooccurring factor in offending. This leaves courts without an appropriate referral pathway, while causes of offending are left unaddressed.

Given gaps in previous research which did not seek the views of the legal profession or judiciary, the CIJ's project focused on how gambling presents to, and is dealt with by, the courts. In particular, the CIJ conducted consultations with a wide range of legal practitioners, magistrates, and judges from the superior courts. The CIJ surveyed the Australian and international context and consulted practitioners from the legal, health and community sectors to develop a more solid evidence base around this issue, identify data gaps and make recommendations to help facilitate greater awareness within the legal sector, as well as an appropriate set of interventions.

The report was submitted to the VRGF in December and will be released in 2017.

An evaluation of the Fair Work **Commission's Pro Bono Program**

This work built on previous evaluations conducted by the CIJ in 2013. The project examined the extent to which the CIJ's recommendations were taken up by the Fair Work Commission (FWC) in subsequent iterations of the program. The evaluation indicated that the CIJ's previous recommendations had made a significant difference and that the majority of participants were very pleased with the service that they had received. Recommendations for further, broader reform are currently being considered by the FWC.

Community-based support for Serious Violent Offenders

In the wake of the Harper Review on the management of sex offenders post-sentence, the CIJ was commissioned by the Victorian Association for the Care and Resettlement of Offenders (VACRO) to conduct a targeted piece of research concerning best practice in community-based support for serious violent offenders. Currently a gap in service provision and legislation mean that offenders in this category do not receive the same level of support once returning to the community following imprisonment, potentially leaving them at greater risk of further offending. The CIJ's report will be released in 2017.



Artificial Intelligence, Design Thinking and Access to Justice forum

In July, the CIJ in partnership with Victorian Legal Aid and National Directors of Legal Aid Commissions held a forum on Access to Justice, Design Thinking and Artificial Intelligence. Over 450 people attended and almost 200 people across the world live-streamed the event.

The forum included short presentations on design thinking and artificial intelligence and a demonstration of the revolutionary online dispute resolution system Rechtwijzer 2.0 which was developed through partnerships including Dutch Legal Aid, HiiL Innovating Justice and Modria.

Peter van den Biggelaar (Dutch Legal Aid) and Maurits Barendrecht (HiiL) were also guests at a number of roundtables arranged by the Centre involving key legal system stakeholders, including judges and magistrates, courts and tribunal administrators, State and Commonwealth departmental officials, lawyers and academics as well as members of the design community.



Video: Interview with Maurits Barendrecht

https://www.youtube.com/watch?v=U1VL-KjRqIM&t=3s&index=8&list=PL8uYOKwoXWA-Y4F3mhAa79WmSMyO1MCUk

Culpable Driving and Restorative Justice project

Restorative justice conferencing is designed to meet the justice needs of victims. It expands the options available to victims to include the possibility of an acknowledgment of the harm done, an apology direct from the offender and many other things that research has shown victims are looking for. Most importantly, it moves the victim, their views and experiences from the margins to the centre of the process – it recognises victims as participants rather than merely witnesses to an event, and their right to a more meaningful form of participation.

The impetus for the project was the recognition of high levels of victim dissatisfaction with criminal justice processes, consistently revealed by Australian and international research on victim experiences over the past few decades. The CIJ became convinced that the introduction of victim-centred innovative justice mechanisms that are complementary or additional to the traditional criminal justice system could better address victims' justice needs. Therefore, funding was sought and obtained through the Legal Services Board to create a restorative justice program whereby those affected by a motor vehicle collision resulting in death or serious injury have the option of participating in a safe, supported conference to address what has happened and its impact.

In 2017 the CIJ's culpable driving and restorative justice project moves into the delivery phase following a comprehensive consultation program to develop a framework, operational guidelines and practice standards for conferencing.

Given the project's focus on the justice needs of victims, the Centre sought the input and involvement of victim support and advocacy organisations from the beginning. A number of people who have personally been victims of motor vehicle collision-related crimes spoke with the CIJ about their experiences and provided valuable feedback about the project. We thank them especially for being involved. Overwhelmingly, the victim support and advocacy organisations and the victims themselves see the benefits of restorative justice conferencing for victims. One victim stated that restorative justice conferencing would 'make a huge difference in the experiences of victims of crime'. These stakeholders have been enthusiastic about a process that accords victims a central role as participants and provides them with a forum to express their experiences directly to the offender and ask questions of the offender. The following organisations have expressed their support for the project and have agreed to be involved: Victims Support Agency; Road Trauma Support Services Victoria and the six community-based agencies across Victoria that deliver the Victims Assistance Program. Victoria Police also agreed to work with us on the project.

The Centre also consulted widely with the legal sector, the restorative justice professional community and relevant social services. This process yielded rich insights and assisted us to develop a sound restorative justice conferencing program that promotes victim safety and wellbeing and safeguards offenders' legal rights.



Life-changing experiences

'Wrap-around' benefits for clients, students and the community

The Multidisciplinary Practice (MDP) was launched by the Vice Chancellor, Martin Bean, on 14 June 2016. The MDP creates life-changing experiences for RMIT students from a variety of disciplines including law (Juris Doctor), social work and paralegal studies.

The development of the Mental Health Legal Centre (MHLC) as a multidisciplinary practice was enabled as a result of RMIT's agreement to fund a part-time social worker position to supervise social work students doing their student placements through the MHLC and the CIJ. Social work students are required to complete two 500-hour placements before graduating.There is now a social work presence across a number of MHLC's programs including the Inside Access prison support program, Night Service telephone advice, Mental Health Tribunal Hearings and Royal District Nursing Service Homeless Persons Program.

Integrated social work and legal services within a community legal centre is a growing practice in the sector and has been lauded for its potential to provide comprehensive and complementary services to vulnerable clients.

Our MDP promotes students working collaboratively and innovatively to provide wraparound services to address the wellbeing and legal needs of clients with mental health concerns that are exacerbated by, or causing legal problems.

The MHLC has seen social work students working alongside lawyers, law students and paralegal students to provide wraparound services to clients of the legal centre, such as women at the Dame Phyllis Frost Centre women's prison. Social work students have provided support for issues such as housing; tenancy; connecting with children/families; linking to community supports post-release; and assisting to navigate complex support systems through identifying personal barriers and systemic barriers. Law students often work on the same files as the social work students, looking at a number of legal issues such as fines and infringements; VOCAT applications; intervention orders; and many more. Paralegal students are providing support across all functions of the legal centre.

There are substantial benefits of integrated legal and social work services for many reasons, such as client outcomes, staff wellbeing and long-term economic savings through the prevention of legal and other issues arising in the future. The client benefits of this approach are far reaching and at its core means that vulnerable Victorians are less likely to continue to come into contact with the criminal justice system, as well as less likely to get caught up in a 'referral roundabout.' This creates lasting change and improvement in clients' lives by ensuring that the legal and psychosocial needs are met simultaneously and by one organisation. "In this example of a multidisciplinary practice – students benefit by learning from each other and understanding the ways in which different issues intersect in the real world. Clients benefit by receiving a suite of services which not only address their legal problems, but the issues which have contributed to them in the first place. The community benefits because, by having these contributing factors addressed, clients are less likely to reoffend, more likely to make a positive contribution and less likely to place further demand on the Corrections system".

 Martin Bean CBE, Vice Chancellor, RMIT University.

Centre for Innovative Justice



There are also challenges and risks involved in integrating disciplines with different underpinning philosophies, values and ethical obligations. However many of the risks are preventable, and the unique benefits are likely to far outweigh these risks. CIJ and MHLC are hoping to expand the multidisciplinary support in the near future to other professions, such as the provision of financial counselling services.



L-R: Vice-Chancellor Martin Bean, MHLC Director Charlotte Jones, CIJ Director Rob Hulls, Professor David Hayward.

Neighbourhood Justice Centre Fines Clinic

In 2016, the CIJ, in collaboration with Fitzroy Legal Service, the Neighbourhood Justice Centre and the School of Global, Urban and Social Studies, established a free legal assistance fines clinic service for residents of the City of Yarra. The service is staffed by lawyers, financial counsellors and other justice-related professionals who, together with academic supervisors, oversee teams of RMIT University law and financial counselling students. The legal service focuses on assisting clients to prepare supporting documents and reports, and providing advocacy, to address outstanding fines and infringements. The Centre for Innovative Justice believes the project gives students from a range of disciplines an opportunity to work together to deliver a holistic service in a multidisciplinary environment for clients. Students also gain practical experience of the community justice model in place at the Neighbourhood Justice Centre.

Human Rights Law Internship

Five RMIT JD students, selected from a very competitive pool of applicants, investigated the impact a federal human rights charter could have upon the Australian political and legislative landscape. This internship was developed in partnership with the Australian Human Right Commission (AHRC).

The students completed a human rights impact assessment (HRIA) by applying a model human rights charter, using the Victorian Charter of Human Rights and Responsibilities as a prototype, to a selection of key federal legislation and case law from the last twelve years. The HRIA compared cases and legislation including those relating to asylum seekers, anti-association laws and national security. The student team was guided and supported by CIJ staff and had access to an Industry Mentor Panel which included experienced human rights lawyers David Manne (Refugee Legal) and Emily Howie (the Human Rights Law Centre). Students also had the opportunity to meet with Professor Gillian Triggs, President of the AHRC and her team during the project.

Like many opportunities offered by the CIJ the students' internship work was intertwined with their studies and formed the basis of their assessment for the elective Legal Research Project. The students will present their research to the Commission in the first half of 2017.





Taster Placements

As part of CIJ's taster placement program, 17 students completed placements with the Assessment and Referral Court, the Coroners' Court, the Drug Court and the Victorian Civil and Administrative Tribunal. The placements, generally lasting a week, provided students with the opportunity to meet judicial officers, lawyers, court staff and other professionals in the justice sector and to see the courts in operation.

10 students also completed a week-long group internship at the Court of Appeal. Students attended appeal hearings, with access to written materials given before Court, met with Court staff in various roles and were able to meet with judges to talk about their career experience and the challenges of their role.

Four JD students spent a week at the Fair Work Commission. The students shadowed Commissioners, worked with Registry staff and observed many other aspects of the Commission's work. This placement was the first of its kind offered through the CIJ and it exceeded the expectations of the first round of students. One of the students, Ash Thomas, said, *'From the morning I nervously weaved through the protesters to get in the entrance of the Commission Building on the Monday to when I walked out on Friday afternoon, inspired by the people I had met and the work I had seen, I learnt far more about employment law and how the Commission functions than I thought possible.'*

During August and September eight JD students had the rare opportunity to shadow one of four magistrates who sit on the Assessment and Referral Court list at the Melbourne Magistrates Court. For most, it was the first time they had observed solution-focused justice in action.

Video: Court of Appeal internship

https://www.youtube.com/watch?v=qYbojFDVgFc&t=1s&index=7&list=PL8uYOKwoXWA-Y4F3mhAa79WmSMyO1MCUk

Student Feedback

Court of Appeal

"The most impactful thing I observed during the week was that even judges don't have confidence in the capacity of our legal system to rehabilitate offenders – arguably a central function of its design."

- Tom Snowden

"When I was selected to participate in this year's Court of Appeal Internship, I wasn't aware of the impact it would have on my future career ambitions. It opened my eyes to the depth of opportunities available to eager law students."

- Georgia McRae

"I think the most valuable and personal experience for me is the opportunity to speak to the Judges before and after the cases. The Judges are very different in their approach and are extremely talented and skilled in their own unique way. At first it was intimidating that we were sitting in front of judges asking questions, however they were extremely patient and answered our questions. I felt that the Judges' answers expanded my knowledge and even enlightened me on my legal analysis."

– Linda Tran

"Being able to speak to the judges following the adjournment of the case was of significant prominence in my view. It permitted us to ask questions about what we thought were the key issues of the case and how the judges decipher critical legal issues."

– Andranik Kazaryan

"I will never forget sitting in Court on the first day listening to Justice Priest bemoan the fact that in 30 years of involvement with the criminal justice system, he has only ever witnessed one person's rehabilitation from time in prison. One. One! For a second year law student looking towards involvement in criminal law in some capacity, it was refreshing to hear one of the highest judicial officers in the country critically dissect the criminal justice system with honesty."

- Jack Faine

"The highlight of engaging with the law in a judicial setting was the insight provided by the judges. The interaction with the lawyers from the Court of Appeal registry and the ability to speak individually with some of the judges associates were invaluable in bringing learning to life and broadening my vision of where a career in law will take me."

- Keri Neveldsen

Fair Work Commission

"Another day we sat in on a conciliation between union representatives and a company in a high-profile dispute. We were able to observe the commissioner speaking separately to each of the parties. This provided an insight into how an expert conciliator handles a collective bargaining dispute."

- Nadia Lennon

"I have long been a believer in the importance of practical experience, especially in the legal context. While at the Commission I was given experiences that cannot happen in a classroom. We were fortunate to sit-in on hearings and conciliations, observe enterprise agreement negotiations, and draft summaries of applications. Even seemingly small things such as when I was asked to swear in a witness were exciting and made me feel as though I was part of the Commission and the legal world. Being able to chat with and ask questions of Deputy Presidents, Commissioners, Conciliators, Associates other staff at the Commission was invaluable."

- Ash Thomas

"In reflecting on my time with the Commission, I recall why I love labour law: it's about striking a productive balance between the needs and wants of employers and employees within the context of ever changing IR laws... Admittedly, employment law is not for everybody, but I have regained my focus and look forward to going back it in the future."

– Olivia Dean

Maurice Blackburn placement

"There was great benefit in the time I spent with the firm. I was able to shadow lawyers and not only able to learn about the law but also experience how it can be applied practically. My placement included attending various courts and tribunals, observing negotiations and new client interviews. Time was also spent on areas such as how to improve the client service and how to engage with workers from vulnerable backgrounds.

The staff at Maurice Blackburn provided a welcoming and professional environment. It was clear to me that the firm does not just believe in social justice, they actively strive for it.

It was invaluable to have the opportunity to speak with staff, sessional clerks and trainees about their experiences in applying for their roles and how they found working at Maurice Blackburn."

- Corey Rabaut

Shadowing Magistrate Ann Collins

"I recently read an article by American Professor, William P. Quigley entitled 'Letter to a Law Student,' where he quoted one of his students who stated that 'the first thing I lost in law school was the reason I came.' This quote heavily resonates with me, with the experience of undertaking a law degree diluting my initial career goals and aspirations to practice social justice lawyering... I heavily immersed myself in the practical application of law through various internships and voluntary positions, rediscovering my original motivation for studying law; the desire to help people who are most in need. Many of these opportunities have arisen through the Centre for Innovative Justice ('CIJ') including my most recent internship, having the privilege to shadow Her Honour Magistrate Ann Collins, sitting on the Assessment and Referral Court ('ARC') list. I would strongly encourage all students undertaking a law degree to engage in such opportunities, as they offer an invaluable insight to the true workings of the justice system and may also introduce you to less conventional professional legal pathways."

- Amy Nolan

Social Work student Quotes

"I feel that my placement at the MHLC has been a supported and encouraging experience in which I have been able to develop both personally and professionally. I think the fact that the MHLC frequently has students on placement from both social work and law/JD degrees, means that there are systems and mechanisms in place to encourage students to fulfil their potential and to foster personal skill development and growth."

- Zoey Gargano

"I've definitely grown throughout this placement. I've become more confident in my intelligence through working with lawyers and realising the law is not that intimidating! I've also realised that a lot of my "soft skills" – the social skills so relevant to effective social work – are not actually traits that everyone has, and I'm quite lucky to have these. I've also had to analyse a lot of my positions on issues and reflect on how my bias affects my ability to connect with service users, as well as my ability to communicate in the workplace."

– Anika Jensen

"Overall this placement experience has been a huge learning lesson for me, not just in the area of putting social work techniques into practice but also in regards to balancing work/school, and being more accountable. I feel like I have learned many valuable skills in the social work realm that I did not have before the start of placement. File notes, client intakes, meeting minutes, liaising with human service organisations, case planning and assessments of clients, etc. Before starting this placement I did not have any of these hands on skills and I am extremely thankful that I have been able to learn these skills while on placement. Secondly, I also was able to learn life and professional skills I can take with me into my future."

- Sarah Williams

"Exposure to client with mental health issues and working with women in prison has been a highlight of this placement and has provided a unique experience. Working with the women at DPFC has been a totally new experience. It has increased my empathy for women who commit crime as so many women we have worked with at DPFC were victims of childhood abuse, physical abuse, and sexual abuse and turned to alcohol and other drugs as a coping mechanism which led to criminal offending and conviction."

- Rowyn Williams



Study tour students outside NJC: Adrian Lawson, Carmella Acciarito, Charlotte Wilkin, Gavin Song, Jena Murtic, Keri Neveldsen, Maddie Bean, Rhondda Waterworth, Syeda Fatima, Tori Stuchberry with CIJ Director Rob Hulls and Associate Director Stan Winford.

"It was fantastic, an incredibly eye-opening experience, I'd strongly encourage anybody that gets the opportunity to take up the tour, the stuff you will learn you cannot learn from a text book in a classroom, you had to do it."

- Tori Stuchbery, student

Study Tour

Ten JD students had the privilege of observing innovative courts in action as part of the Centre's Melbourne Innovative Justice Study Tour. The tour took in the Neighbourhood Justice Centre, the Drug Court, the Koori Court, the Assessment and Referral Court and the Family Drug Treatment Court. As well as observing the cases before the courts on the day, students were able to sit in on the pre-hearing conference discussion at the Drug Court and had opportunities for Q&A sessions with the Magistrates.

Rob Hulls said: "The study tour was all about taking students out of the classroom and showing them what the real world of innovation is like. I think it was a fantastic opportunity for these JD students to see that the justice system can be a positive intervention in people's lives when people start to innovate, when they look at therapeutic justice, when they look at restorative justice. I just hope that the tour not only broadened the minds of these students but actually sets them on a pathway to ensure that they use the privilege of a law course for the betterment of other people".

Stan Winford said: *"I think there's no better way to give real meaning to some of the things our students have learned about through reading journal articles and textbooks and so on. The judges...the way they use their courtrooms to achieve these outcomes was an amazing learning experience for our students".*

Students were very positive in their feedback. Overwhelmingly the students considered the tour to be a transformative experience.

"We don't have any kind of therapeutic jurisprudence element to our studies except jurisprudence, which is minimal and it's really important and I would think that this should be a core subject, everyone should do it."

– Jena Murtic, student

Tori Stuchbery said: *"It was fantastic, an incredibly eye*opening experience, I'd strongly encourage anybody that gets the opportunity to take up the tour, the stuff you will learn you cannot learn from a text book in a classroom, you had to do it."

Rhonda Waterworth echoed her sentiment: "I found it to be an absolutely life changing experience actually. It's going to be really useful for my workplace and also I guess from my experience as a psychologist I feel like I've just seen this inaction. The solution to a lot of the practical problems that I've had that I've struggled with for a long time with my client base and I'm hopeful that some of the ideas can be incorporated into the practice of the judiciary process."

Gavin Song found the experience left him thinking more about innovative justice: "The study tour really surprised me. I really haven't had close contact with the court system. Really got me thinking about what innovative justice is. I've never had this feeling. It's my last semester and for graduates it's a really good opportunity to get in touch with the real court system."

In 2017 the study tour will return to New Zealand and will include visits to The Drug and Alcohol Court, Rangatahi Youth Court, New Zealand Ministry of Justice and Massey University where students will attend a restorative justice workshop.



Career Mentor Forum

Students interested in career speed dating attended our 2016 Career Mentor Forum. This year we extended the invite to include not only JD students but also Legal and Dispute Studies, Justice and Criminology and Social Work students. The aim of the forum is to help students gain an understanding of the breadth of employment options a law degree offers, the pathways available to them and their ability to use their qualification to improve the law and contribute to a fair and just society.

Mentors included:

- John Cain, Victoria's Solicitor for Public Prosecutions, Office of Public Prosecutions
- Liberty Sanger, Principal, Maurice Blackburn Lawyers
- Carolyn Burnside, Barrister at Law
- Ruth Barson, Director of Advocacy, Human Rights Law Centre
- Elissa Scott, Summary Crime Program Manager, Victoria Legal Aid
- Marina Basile, General Counsel, Law Squared

Feedback from students who attended on the night:

"Being so close to exams it can become easy to lose sight of the bigger picture, but I gained a sense of relief and motivation from attending the forum. I was also fortunate enough to make some invaluable connections on the night".

- Amy Roseman, JD student

"Attending the Career Mentor Forum was definitely worthwhile. The CIJ is great at putting together panels with diverse personal and professional experiences and fostering an environment where students feel comfortable to ask anything".

- Poppy Jacobs, JD student

"The forum was definitely worth going and I cannot wait until the next event! I left feeling very inspired. It was nice to get some real advice from people who have been in our position and see where a law degree can take you. It especially opened my eyes to being open to opportunities and putting yourself out there".



L-R: Liberty Sanger, Marina Basile, John Cain, Carolyn Burnside, Ruth Barson and Elissa Scott.

• RMIT

Centre for Innovative Justice





Fastrack Innovation

The second year of the Access to Justice stream (A2JTTC) of the Fastrack Innovation Program has produced a crop of potential design and technology solutions to improve service delivery across the legal assistance sector, tackle exploitation in the workplace and help those in financial hardship avoid utilities disconnections.

Listed below are the innovative solutions pitched to the judges and audience on Pitch Night:

- Handover is a tool for CLCs that streamlines the referral process and helps connect people to the services they need by automating the 'referral roundabout'. It predicts appropriate referrals based on client details and case notes. Handover tracks the progress of each referral and captures this data at each touchpoint. Aggregation of this data presents stakeholders with a clear picture of unmet legal needs.
- Storyboard is an online platform that houses education modules that CLC lawyers can go through with their clients to best explain different legal issues. The system will have a comprehensive library of searchable visual modules to communicate complex legal concepts to clients in their native language and cultural context. The modules will be developed in collaboration with key members of the migrant communities and will be used as supplementary tools with consultations between CLC lawyers and clients.
- WorkMate is an automated texting service that follows a young person on their journey when they start their first job. It provides: tailored text messages, timed when they are most needed and appropriate, support to rural and metro populations, pre-emptive and preventative support for young workers, and instantaneous referral to services that are applicable and available.
- Round-Up Power-Up is a platform for fundraising where bill payers are given the option to round up their utility bills to the nearest dollar, contributing the cents towards a fund to be utilised to assist families facing financial hardship to overcome their utility debt and avoid disconnection.

- CourtPrep is a program that provides first time summary offenders with the information, materials (and training) they need to arrive at court prepared to engage with the judicial process.
- Just457 is a web-platform that educates 457 visa holders on essential information about their rights at work and connects them to free, confidential legal advice through the hook of a job board specific to 457 visa holders. The platform also provides essential information to employers about their obligations, as well as an opportunity to advertise positions directly to a willing market.
- EDA (or Energy Debt Assistant) is a chatbot (a computer program designed to simulate a conversation with human users) that connects indebted consumers with relevant assistance including not just financial support but also advice and guidance to help mitigate their energy debt.
- Where Are You (WAY) is a web-based platform that will facilitate access to all services related, but not necessarily limited to, young people's interactions with the justice system in one location. This will allow young people, the key users of the service, to efficiently and accurately identify the most accurate and relevant services to assist them.

The award winners for 2016 were **Handover** and **Storyboard**. The challenge now is to introduce the these solutions into the legal assistance sector. Thanks again to VLA, the FCLC, our mentors and coaches and industry partners (Deloitte, isobar, Seed Digital, the Difference Incubator) and of course, the Fastrack team Associate Professor, David Gilbert, Professor Aaron Smith and Associate Director Sandra Arico.

From the 2015 crop, the FineFixer project won development funding form the Victoria Law Foundation and the Streamline project was submitted to the Victorian Government's Public Sector Innovation Fund.

Passion with Purpose

Our Purpose

Our reason for being is to:

1. Improve access to justice through:

- strategic and accessible research that makes an impact,
- practical advice, assistance and collaboration with government, justice and dispute resolution systems (public and private) and stakeholders (local, national and international), and
- sustained advocacy.
- 2. To deliver transformative student experiences.
- 3. To help solve public policy problems.

Our Vision for Justice

We want communities that:

1. recognise there are many pathways to justice, and

2. ensure that justice systems (public and private) provide these pathways and which:

- are accessible,
- resolve disputes large and small efficiently and effectively;
- act as a positive intervention by dealing with the causes of crime as well as its consequences,
- focus on the needs of victims, offenders and the communities affected by crime,
- empower communities and individuals to resolve and prevent disputes, and
- reduce crime.

Our Focus

We focus is on alternative pathways to justice including nonadversarial dispute resolution, therapeutic jurisprudence and restorative justice. We approach many of these issues through design thinking which puts the person and/or the community at the centre of the process.

Our Vision for the Centre

To be recognised across the university, national and international communities as a driver of innovative change that improves access to justice.

Our Values and Practices

Courage

We are honest and fair in our conduct and relationships. We embrace new thinking and evidence, test it rigorously and apply it to our own learning. We are strongly committed to performance, accountability and value for money. We speak out on issues of importance to our community and our world. We respect the rights of others and our obligations to the health of the planet.

Imagination

We value innovation and creativity as essential qualities of our work and resources for the economy and society. We are committed to developing, applying and sharing new ideas and perspectives.

Agility

We are forward-looking, balanced and sustainable in our approach to organisation and resourcing. We are able to adapt quickly and effectively to new pressures and opportunities.

Approach to change

We believe that for change to occur, those in the community and justice system need to understand that justice systems bring together a broad range of disciplines and skills, not just lawyers and judges. They also need to be open to new ideas and innovation including the benefits of restorative justice, therapeutic jurisprudence and alternative or non-adversarial dispute resolution and be willing to explore and implement new models of legal service delivery. The adoption of a 'design thinking' or 'people-centred' approach is fundamental to successful innovation as is the desire to be smart about crime and its causes and the insistence on evidence-based policy and informed debate.

Approach to our work

We embrace RMIT University's commitment to provide lifechanging experiences for students and staff to explore, test and fulfil their potential; to be driven by student aspiration, experience and needs, to be connected to industry and community, to be fair by providing a safe environment, supporting a diverse range of students including the disadvantaged, respecting intellectual freedom, tolerance and promoting debate. We want to make a difference to the lives of students and to communities here and around the world. We also want to enjoy the work we do by being clear about what we want to achieve, celebrating our successes, learning from our mistakes, bringing a sense of hope and optimism to our work and by using humour and story-telling as a way of engaging with people in the process of reform.

A short Introduction to Innovative Justice

Innovative justice is the key to making modern justice systems (criminal and civil), more affordable, effective, understandable and efficient. It deals with the causes as well as the consequences of crime; gives attention to the needs of victims and offenders, as well as the community affected by the crime; and helps to strengthen communities to prevent crime. It also involves strategies to ensure that disputes, large and small, are resolved fairly and in a timely, cost-effective way.

Innovative justice challenges the conventional 'adversarial' approach of a judge presiding over dueling lawyers which in many circumstances can compound or exacerbate the harm it seeks to address. Innovative reforms are therefore primarily 'non-adversarial'. They focus on changing the culture and practice of the law and the delivery of justice; as well as changes to laws, policies and procedures. It is about new thinking for old problems and developing a 'menu' of options, which recognises that not all cases require the same response. Examples of these alternative options include restorative justice, which is principally concerned with the repair, to the greatest extent possible, of the harm caused by a crime. The focus is on victim inclusion and offender accountability. Restorative justice practices involve a facilitated discussion between the victim, offender, their communities, families or representatives. Therapeutic justice is principally concerned with addressing the underlying reasons for offending, which could include mental health and other health issues, alcohol and drug addiction, unemployment and homelessness. It sees contact with the justice system as an opportunity to intervene in a positive way and to help get an offender's life back on track.

Truth telling provides a victim of crime with an opportunity to tell their story in a safe and supported environment, and to communicate the impact of the offending to a body or a person of standing, such as a member of the judiciary, a member of parliament or an expert panel. Truth telling practices provide victims with the opportunity to have formal acknowledgement of the harm done, and in some instances, to have input into systemic change. Legal services innovation has a critical role to play in ensuring that everyone, no matter what their income, has meaningful access to justice.

Emerging innovations in legal practice take a consumer-focused approach and recognise that transparency and flexibility about services and costs are the key to maintaining a sustainable legal profession. Innovations such as fixed fees, discrete task assistance, and online and virtual legal services are all practices that have developed as responses to a sector that, for many people, has become out of reach and irrelevant. A change of culture is needed for these approaches to be developed and implemented effectively, a culture informed by 'design thinking' that puts people and community at the centre; which understands that justice systems bring together a broad range of disciplines and skills; which is prepared to be smart about crime and its causes; which insists on evidence-based policy and informed debate; and which is willing to explore new ideas and implement new approaches.

Staff profiles



Rob Hulls is Centre Director. Rob was a Victorian Attorney-General from 1999 to 2010. As Attorney he introduced a series of innovative reforms to the justice system that focussed on therapeutic jurisprudence and restorative justice, including the Neighbourhood Justice Centre, the Drug Court, the Assessment and Referral Court, Koori Courts and specialist Family Violence Courts.



Mark Madden is Deputy Director. Mark brings to the role more than 30 years' experience in communications, strategic planning, government and public policy.



Elena Campbell is Associate Director, Research, Advocacy and Policy. Elena is a policy lawyer and writer, with a background in social justice reform. She was the author of the report on family violence Opportunities for Early Intervention; Bringing Perpetrators of family violence into view.



Stan Winford is Associate Director, Research, Innovation and Reform. Stan is a practicing lawyer who has held a number of senior roles in government and in the community legal sector. He is also the chair of the Mental Health Legal Centre.



Mina Hilson is Centre Coordinator. Mina is an accomplished administrator and coordinator with experience in the public, private and not-for-profit sectors.



Nareeda Lewers, Restorative Justice Project Officer. Previously, Nareeda worked as a criminal lawyer at Victoria Legal Aid. Nareeda has also worked in the community legal centre sector and in clinical legal education. She also has a background in academic research, and has published in peer-reviewed journals.



Katherine Ogilvie, social worker.

Kat works across the Centre for Innovative Justice and the Mental Health Legal Centre and has been overseeing the integration of the multidisciplinary practice in the Mental Health Legal Centre since March 2016. Kat has experience in the public and community sectors across Victoria and Queensland.



Anna Howard is Student Program Coordinator. Anna joined the team joined the team in early 2016 to Coordinate the Enabling Justice Project and to oversee student placement opportunities through the CIJ. Anna has a background as a lawyer

with a social justice focus spanning native title, personal injury and community law.



Cordelia Rice, Administrative Officer, Research and Projects. Cordelia is a writer with a background in arts and higher education administration.



Heidi Phillips, casual administrative officer. Heidi is currently in her final year of the Bachelor of Legal and Dispute Studies at RMIT.



Jessica Richter, Project Coordinator, ABI Project and Coordinator of Student

Placements. Jessica is an experienced criminal lawyer who has worked largely with cognitive impairments. Jessica has been on maternity leave since March 2016 and is to return in 2017.



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